

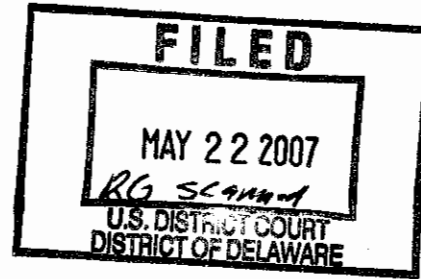
Case 1:06-cv-00315-JJF Document 39 Filed 05/22/2007 Page 1 of 5
IN The United States District Court
For the District of Delaware

BENNE Singletary
Plaintiff,

civ. Action NO. 06-315-JJF

v.
COL. Gosnell, et al.

Defendants.



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BENNE Singletary, plaintiff in the above captioned matter, amends his original complaint in the following manner. The amendment comes subsequent to District Judge, The honorable Judge Joseph J. Farvan Jr.'s 5/3/2007 order to make amended complaint. Solely to amend plaintiff's prayer for relief.

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A. Compensatory Damages

Plaintiff seeks to be compensated for injuries sustained in an attack by another inmate. The injuries are supported by medical reports supplied by defendants. As a result of said incident, the plaintiff endured physical pain and suffering. The plaintiff received over 30 stitches and caused to have mental and emotional anguish, in which constant paranoia or, fear when hearing loud noises and people coming up behind him.

Also, sleeping deprivations and fear of another attack. (See: Smith, 691 F.2d at 226-227) where it recognizes that emotional and general pain and suffering are compensable injuries).

Prison litigation reform Act, 42 U.S.C. § 1997e(e), requires that there be a predicate physical injury that is more than de minimis. The plaintiff asks for a sum of One-hundred-and-fifty thousand dollars (\$150,000).

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The plaintiff seeks punitive damages as well, the defendant's conduct is shown to be reckless and involves callous indifference to the federally protected rights of others (SEE: *Hill v. Marshall*, 962 F.2d 1209, 1217).

The opposing party here, defendant C/O Waples, was on duty during the initial attack on plaintiff, and on duty of the second attack in which the

Major injuries were endured on plaintiff in the "gym". Yet the defendant's claim they had no knowledge of either attack, and then claimed they acted in good faith as state officers. (SEE: statements in the defendant's "Answer to Complaint").

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Furthermore, Claims plaintiff somehow caused his own injuries and basically concocted a scheme to create a "law suit" by stating "Contributory negligence". However, the defendants cannot claim professionalism when they state they were unaware of any incidents of this Magnitude, and can't explain their whereabouts at that time, clearly they weren't on "post" for the prisoners protection, in area which hold instruments of great danger, and not being responsible in eyes of the Public. The plaintiff is seeking One hundred thousand dollars (100,000) for the defendants' motives and grossly negligent behavior.

Respectfully

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